

Application No. 09/916,248

REMARKS

Claims 1-15, 18-27, 42-44 and 47-68 are pending in the application. By this amendment, claims 60-64 have been cancelled. Claims 1 and 54 have been amended to more clearly define the invention. Dependent claim 65 has been amended to make it depend from independent claim 54 as amended. No new matter has been added.

Claim Objections

Claims 49-53 were objected to under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. Claim 49 has been amended to depend from claim 47 or claim 48 and is therefore in proper form. Applicant respectfully requests the objection to claim 49 be withdrawn. Claims 50-53 depend directly or indirectly from claim 49 and are placed in proper form by the amendment to claim 49. Applicant respectfully requests the objection to claims 50-53 be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1-15, 18-19, 21, 24-27, 42-44 and 50-60 were rejected under 35 U.S.C. § 102(b) as being anticipated by Krishna, et al. (U.S. Pat. No. 6,012,071 - hereinafter "Krishna et al"). The Office Action (OA) alleges that the file containing applets or plugins is a non-displayable phantom web page citing column 8, lines 58 -60 of Krishna et al in support of the allegation. The OA cites column 8, line 60-column 9, line 3 of Krishna et al. as being anticipatory of the step of receiving at the client device, from the web server, at least one second web page element that is related to the first web page element and associated with the non displayable phantom web page. Finally, the step of updating the at least one first web page

Application No. 09/916,248

element in the displayable web page with the second web page element associated with the non-displayable phantom web page without reassembling the displayable web page is alleged to be anticipated by column 4, lines 44-48 of the Krishna et al. reference. Applicants respectfully traverse the rejection of independent claim 1 and claim 54 for reasons stated below.

Claim 1 has been amended to recite receiving from the first Web server HyperText Markup Language (HTML) code specifying individual display elements of the displayable Web page and including at least one script code. The script code is automatically interpreted in the browser to prepare a proxy window on the client device and transmit a second page request for a second, non-displayable phantom Web page. The second page request is associated with the proxy window and is transmitted to a second Web server at a second network address. Responsive to the second request, the second Web server sends the client device at least one second Web page element related to at least one of the individual display elements. Just as the individual display elements are assembled to create the displayable Web page in the first window, the at least one second Web page element is assembled to form the non-displayable Web page in the proxy window. The Krishna et al. reference, on the other hand, is directed to an electronic publication that may be produced by a design and layout tool and displayed by a viewer. The file containing applets and plug-ins, referenced at column 8 of Krishna et al., cannot anticipate the non-displayable phantom web page of claim 1 because the applets and plug-ins are not automatically interpreted by the browser like the script code recited in claim 1. Moreover, the applets and plug-ins cannot be assembled, like the at least one second Web page element recited in claim 1, to form the non-displayable phantom web page of claim 1. Secondly, as evidenced from column 8, line 60-column 9, line 3 of Krishna et al, "the viewer downloads the

Application No. 09/916,248

publication file and uses the URLs contained therein to obtain contents e.g. from servers 212, 214 and 216, and to format and display the contents to the user according to the instructions stored in the publication file." The contents of the non-displayable Web page, on the other hand, are not formatted and displayed to the user. Instead, the contents form updates to at least one of the individual display elements after the individual display elements have been assembled into the form of a displayable Web page. Krishna et al. does not teach or suggest a non-displayable phantom Web page of the present invention or the use of a non-displayable web page in a second browser window (i.e. the proxy window) to update a displayable web page in a first browser window. Applicants respectfully maintain that Krishna et al. does not anticipate the invention of amended claim 1.

Claim 54 has been amended to recite in relevant part, the step of downloading HTML code to the client device from the Web server wherein the HTML code includes, at least in part, a reference to a JavaScript file at the Web server responsive to the first page request, the step of parsing the reference to the JavaScript file using the browser application to cause the browser to generate a data-request from a JavaScript-file-referenced web server and the step of generating a JavaScript code at the JavaScript-file-referenced web server and delivering it to the browser responsive to the data request. The JavaScript code is operative to request the phantom web-page from the Web server for receipt within a second browser window on the client device and operative to cause the phantom web-page to be non-displayable in the second browser window. The Krishna et al. reference teaches the use of applets or plug-ins. There is no teaching or suggestion in Krishna et al. to use the pure JavaScript and HTML of the present invention to create a second browser window on the client device within which to receive the

Application No. 09/916,248

phantom web-page from the web server and wherein the JavaScript is operative to cause the phantom web page to be not displayed within the second browser window. Krishna et al. does not teach or suggest a non-displayable phantom Web page of the invention of claim 54 or the use of a non-displayable phantom web page in a second browser window to update a displayable web page in a first browser window. Applicants respectfully maintain that Krishna et al. does not anticipate the invention of amended claim 54.

In view of the above, Applicant respectfully requests that the rejection of independent claims 1 and 54 be withdrawn and the claims be allowed. Claims 2-15, 18-19, 21, 24-27, 42-44 and 47 depend directly or indirectly from allowable independent claim 1 and claims 55-60 depend directly or indirectly from allowable independent claim 54 and therefore are allowable for at least the same reason independent claim 1 and claim 54 are allowable. Applicant requests the rejection of dependent claims 2-15, 18-19, 21, 24-27, 42-44 and 47 as well as of claims 55-60 be withdrawn.

Claim Rejection under 35 U.S.C. § 103

Claims 20, 22-23 and 61-68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Krishna, et al. in view of Adams (U.S. Publ. No. 2002/0124100). Applicants have amended independent claims 1 and 54 and cancelled claims 61-64. Claim 65 has been amended so that it now depends from amended claim 54. As a result, claims 66-68 directly or indirectly depend from amended claim 54. As discussed in connection with the claim rejections under 35 U.S.C. § 102, Krishna et al. does not teach or suggest a non-displayable phantom Web

Application No. 09/916,248

page of the invention of claim 54. Neither does Krishna et al. teach or suggest the use of a non-displayable phantom web page in a second browser window to update a displayable web page in a first browser window. Adams is not relied upon to cure the deficiencies of Krishna et al. as discussed above. Accordingly, Applicants respectfully submits that the combination of Krishna et al. and Adams does not disclose or suggest the method of amended claim 1 or amended claim 54. As such, Applicants submit that since claims 20 and 22-23 depend from allowable claim 1 as amended, and claims 65-68 depend directly or indirectly from claim 54 as amended, the rejection of claims 20, 22-23 and claims 65-68 be withdrawn.

Application No. 09/916,248

CONCLUSION

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'BRP', with a long horizontal line extending to the right.

Brad Pedersen
Registration No. 32,432

Customer No. 24113
Patterson, Thuent, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-5774